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VIA FIRST-CLASS MAIL AND CM/ECF

Hon. James Donato  
U.S. District Court for the  
Northern District of California, San Francisco  
450 Golden Gate Avenue  
San Francisco, CA 94102

*Re: Melinda Rudio v. Credit Control, LLC* (No. 3:16-cv-03003-JD)  
Motion to Dismiss (Dkt. Nos. 41, 42, 43, 45)

Dear Judge Donato:

By this letter, I am requesting the status of the motion to dismiss filed by Defendant Credit Control, LLC on March 22, 2017. (Dkt. No. 41.) In reviewing the Court's procedures, I could not locate a procedure for such an inquiry, so I respectfully submit this letter to you.

A hearing was originally scheduled for the defendant's motion for April 27, 2017. On April 24, 2017, the Court vacated the hearing on the motion to dismiss, indicating that the motion was suitable for decision without oral argument. (Dkt. No. 45.) However, no decision has been issued on the motion yet.

While we are respectful of the Court's busy docket, we are concerned that the motion has slipped through the cracks. That concern is further heightened by the fact that this motion is absent from the most recent Civil Justice Reform Act report for motions pending over six months. See CJRA Table 8W, at 1,538 (Sep. 17, 2018 for period ending Mar. 31, 2018), available at [http://www.uscourts.gov/sites/default/files/data\\_tables/cjra\\_8\\_0331.2018.pdf](http://www.uscourts.gov/sites/default/files/data_tables/cjra_8_0331.2018.pdf). As a result, Plaintiff is requesting the status of this pending motion.

Many thanks,



J. Erik Heath  
Attorney for Melinda Rudio

cc: Eric Tsai (via ECF), Geoffrey Wiggs (via ECF)